

11-10-14: Consolidated Summary of Technical Meeting on Beneficial Uses, Habitat and Restoration

Issue: EPA concerned that DEIS does not fully define and describe the relevance of the estuarine salinity gradient or report a year-round salinity gradient/Delta outflow analysis for each alternative.

Decision: ICF revisit section 5.3 in HCP and pull forward to address this issue in the SDEIS. ICF is expecting to add downstream effects including sediment loads and tidal impacts. ICF not expecting to add a broad ecosystem indicator (quantitative analysis) but do a qualitative analysis for Alt 4. so that issue remains unresolved. ICF committed to working with NMFS and USFWS on revising HSI (habitat suitability index) and showing range of restoration outcomes by species. ICF improving the EIS/EIR and retelling the story of the BDCP and how it fits within the larger context of what is going on in the Delta. Next steps: ICF would like to share this "new story" with EPA before the supplement goes out. EPA may need to have a meeting with fish agencies about the suitability and feasibility of developing a broad ecosystem indicator for the Supplement.

Issue: EPA concerned that DEIS does not describe potential effects on DO and other contaminant concentrations as a result of more frequent dead pool conditions in upstream reservoirs

Decision: ICF explained that the deadpool conditions are a result of climate change and not their project. ICF to develop and provide an insert that provides a "master response" as to how the No Action Alternative (NAA) crosswalks with climate change scenarios. ICF got a lot of comments on this.

Issue: EPA concerns over sole reliance on habitat restoration for ecosystem recovery, recognizing that existing freshwater diversions and significantly diminished seaward flows have played a significant role in precluding the recovery of Bay Delta ecosystem processes and declining fish populations.

Decision: Check-in with EPA on whether or not approach can be applied across alternatives. ICF will present charts regarding outflow & carryover storage and give a fuller interpretation of the role BDCP plays in the larger context of a declining ecosystem.

Issue: EPA concerned that CM1 alternatives may contribute to declining populations of delta smelt, longfin smelt, green sturgeon, and winter-run, spring-run, fall-run, and late fall-run salmon and may not be mitigated by restoration. Restoration success assumed to be 100% in the DEIR/EIS. Less than 100% success may influence salinity results.

Decision: ICF says CM1 not reliant on 100% restoration success. The SDEIS will contain clarifying language about decision rules; spawning, rearing and migration; and a weighting system across all alternatives for all the referenced species. ICF thinks they need to state their case more clearly about how they are contributing to species recovery but that an HCP is not a recovery plan. Next step: EPA would like to review this language.

Issue: EPA concerned that there is a potential for conflict with other HCPs.

Decision: There are many moving and evolving parts with the proposed/ongoing HCPs and the greatest accuracy can be achieved by waiting to summarize the connections and leveraging opportunities between the proposed BDCP and the proposed/ongoing HCPs for San Joaquin County, Yolo county, East Contra Costa Co., Solano, and South Sacramento. ICF taking a second look at their document to determine consistency with EPA-led monitoring plan effort but will not include findings until FEIS.

Issue: EPA concern that modeled longfin smelt abundance is estimated to decline for all but one of the alternatives, juvenile delta smelt entrainment is predicted to increase under Alt 4, and believes that delta smelt rearing habitat should be expressed in absolute terms. EPA requests more detail regarding how north Delta diversion screens would prevent entrainment.

Decision: In the SDEIS, ICF will clarify how the baseline was selected and what it constitutes, and compare project alternatives to the NAA in the late long-term (LLT). Also, the fish facility technical team is working on the design of the fish screens -- the appropriate technology exists, but the screen design needs to be significantly scaled-up for the proposed intakes.

Issue: How will NEPA effects determinations be revised in light of this discussion for beneficial use impairments?

Decision: ICF will identify specific models that were used and how they were rated and put it in the methods section and better explain how the summaries in the fish chapter was developed and put this in the supplemental. ICF does not want any non-determined determinations but they are still working with the fish agencies on how to resolve this re: longfin smelt.

Next step: EPA would like ICF and fish agencies to report back when they have resolved this issue and EPA would like to review the methods section.

Other:

- David Z. (ICF) says that the lead agencies are intending to identify a preferred alt. – no reaction from fish agencies on this comment

- Jennifer Pierre (ICF) has given herself the personal task of improving the EIS/EIR message in Nov. – she explained the HCP and EIS were written by different groups so there was no one technical editor- plans to retell the story of the BDCP and how it fits in the broader context of everything that is going on in the Delta

- they plan to have a better discussion of the crosswalk between the WQCP and BDCP and how the BDCP will and can continue to function despite any changes to the WQCP- Cassandra said they are meeting with the Board and will continue to do so

- ICF still working out X2 stuff- they told us what they're doing but we want to make sure they're using X2 to inform analyses in bullet 1

 - Re: this and other issues- EPA really would like to see certain things before an EIS goes public- no repeats of 2013